IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 13151 of 2005

Between:

Mother' s Convent Upper Primary School, E/M, Station Road Colony, Bellampalli Mandal ,Adilabad district, Rep by its Correspondent Shri. S.Satyanarayana.

..... PETITIONER

AND

1 The Regional Joint Director of School Education School Education,

Warangal.
2 The District Educational Officer, Adilabad District.
3 The Mandal Educational officer, Bellampalli Mandal, Adilabad district.
4 Gayathri English Medium High School, Near Sri Satya Sai Mandir,

Bellampalli Mandal, Adilabad District, Rep by its Correspondent.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in allowing the respondent No.4 for running a school without any valid permission or recognition as prescribed and required under the A.P.Educational Institutions (Establishment, Recognition, Administration, and control of School under Private management) Rules,1993 as illegal, arbitrary and unconstitutional.

Counsel for the Petitioner: MR.T.SRIKANTH REDDY

Counsel for the Respondents 1 to 3: GP FOR SCHOOL EDUCATION

Counsel for the Respondent No.4: None appeared.

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner alleging that the 4th respondent has established a School and is being run without obtaining necessary permission as required under the A.P. Educational Institutions (Establishment, Recognition, Administration, and Control of Schools under Private Management) Rules, 1993 (for brevity 'the Rules'). Hence, the said action is illegal. Therefore, the petitioner made a representation dated 10-06-2005 to the District Educational Officer, who is the second respondent herein, to take appropriate action against the 4th respondent. In spite of the representation, no action was taken by the respondents, therefore, the petitioner has come up with the present writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. As the representation has already been made by the petitioner to the 2nd respondent on 10-06-2005, it is for the respondents 2 and 3 to see that if the 4th respondent has no permission, he shall not be allowed to establish or run any School violating the provisions of the Education Act and the Rules made thereon.

4. The respondents are accordingly directed to take appropriate action and pass appropriate orders on the representation of the petitioner dated 10-06-2005.

5. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

21st June, 2005

Note:

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Furnish C.C. by tomorrow.

B/o.

SKM

Copy to

1 The Regional Joint Director of School Education School Education,

Warangal.
2 The District Educational Officer, Adilabad District.
3 The Mandal Educational officer, Bellampalli Mandal, Adilabad

District.
5. Two C.Cs. to the G.P for School Education,

High Court Buildings, High Court of A.P., Hyderabad. (O.U.T.)

6. Two CD copies

*Form-NIC-OGS/WP{**TRR**}*